

Existing law provides that when a written complaint against an employment service licensee is filed alleging violations of existing law, the allegation may be served on the licensee by personal delivery or by registered mail. Prior law provided that any act or omission in violation of prior law shall carry a fine not to exceed \$500, suspension of the license for a period of not more than one year, or revocation of license.

New law changes prior law by providing that violations by the licensee may result in a fine not to exceed \$500 per violation.

Existing law provides that if the assistant secretary of the La. Workforce Commission (LWC) determines that an applicant is entitled to a refund pursuant to existing law, the assistant secretary is authorized to issue an order to the employment service requiring the refund to be made.

New law provides that should an applicant be entitled to a refund the director of LWC shall issue an order to the employment service requiring a refund be made.

New law provides that any applicant injured by an employment service, his agents, or employees while acting within the scope of his employment by reason of misstatement, misrepresentation, fraud or deceit, or other unlawful act shall have the right to seek recovery of amounts paid by the applicant to the employment service plus damages not to exceed 25% of the fee paid. Further provides for other relief including attorney fees.

Existing law provides that employment services shall not engage in certain prohibited conduct.

New law adds to existing law by providing that an employment service may not charge an applicant a fee when employment is procured with a governmental employer.

New law also adds a provision requiring a fine for each violation.

Prior law provided that a person acting as an employment service without a license shall be guilty of a misdemeanor punishable by a fine of not less than \$50 nor more than \$500, by imprisonment for not more than six months, or both.

New law changes prior law by providing that an unlicensed person shall be punished with a fine of not more than \$1,000 per violation.

Effective August 15, 2010.

(Amends R.S. 23:108(B)(1) and (C), 111(C)(10) and (11) and (F), and 113; Adds R.S. 23:108(F) and 111(C)(12))